

REMARKS/ARGUMENTS

The Office Action mailed February 9, 2006 has been carefully considered. Reconsideration in view of the following remarks is respectfully requested.

Claim Status and Amendment to the Claims

Claims 1-5 are now pending. No claims stand allowed.

Claims 4-5 have been withdrawn from consideration as the result of an earlier restriction requirement.

Claim 1 has been amended to further particularly point out and distinctly claim subject matter regarded as the invention. Support for these changes may be found in the present specification, for example, page 9, lines 3-9, and FIGS. 2A, 2B, and 3C.

Claim 3 has been rewritten into a dependent claim of claim 1. The text of claims 2-3 is unchanged, but their meaning is changed because they depend from the amended claim.

No “new matter” has been added by the amendment.

The 35 U.S.C. §102 Rejection

Claims 1-3 stand rejected under 35 U.S.C. §102(b) as being allegedly anticipated by Gravey (U.S. Pat. No. 3,310,929), among which claim 1 is the independent claim. This rejection is respectfully traversed.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.”

Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987). “The identical invention must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co.*, 869 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). *See also*, M.P.E.P. §2131.

Claim 1 defines a resin molded component for a vehicle comprising a molded component body having a design surface that forms an exterior surface when mounted on a vehicle body, and a mounting portion which is formed integrally with the molded component body, the mounting portion being formed so as to protrude from a rear surface that is on an opposite side from the design surface of the molded component body. The claimed mounting portion comprises (a) a mounting seat portion that is provided at a position separated from the molded component body by an inner space that communicates from an aperture portion formed in a direction orthogonal to a longitudinal direction of the resin molded component, (b) a mounting structure provided on the mounting seat portion to be used to mount the resin molded component onto the vehicle body, (c) a joining portion that joins the molded component body with the mounting seat portion at a position opposite the aperture portion, and (d) side walls that surround a periphery of the inner space apart from the aperture portion and the joining portion, and that are separated from the molded component body by slit shaped hole portions that extend from the joining portion to an edge on the aperture portion side or to the vicinity thereof, as recited in claim 1 as amended.

In the Office Action, the Examiner alleges that the elements of the presently claimed invention are disclosed in Gravey. The Examiner specifically contends that Gravey's "portion 29 is a connecting portion and elements 39 and 38 are wing portion that form an aperture that is perpendicular to the longitudinal extent of the decorative member." Furthermore, the Examiner alleges that Gravey's spring clip is "integral with the molding when it is inserted in the holder." The Applicant respectfully disagrees for the reasons set forth below.

The structure of the resin molded component of the claimed invention is illustrated, for example, in FIGS. 2A and 2B. In the resin molded component, the mounting seat portion 26 is provided with a mounting structure 27. The resin molded component is secured to another molded component 6 (see FIG. 3C of the present application) of the vehicle body by the mounting structure 27. The mounting seat portion 26 is provided at a position separated from the molded component body 2 by an inner space 25. The claimed structure suppresses the occurrence of molding defects which affect decorativeness of the design surface of the resin molded component. Please note that the reference numerals are provided for illustrative purpose only and thus in no way limiting. It should be noted that the claims are clearly directed to "a resin molded component," and the claimed mounting portion is formed integrally with the molded component body. That is, in the claimed resin molded component, the mounting seat portion, the mounting structure, the joining portion, and side walls are all integrally-formed portions of the mounting portion.

In contrast, Gravey's invention is entitled "Molding and Clip Assembly," and relates to an assembly for fastening a molding strip to a panel (column 1, lines 8-9 thereof). In Gravey, a spring clip **28** holds a resin molded component **12** against a body panel **14** with its spring biased force (see column 2 lines 14-30 thereof). The spring clip **28** is fixed to a tip of a stud **20** by a washer **24** (see Fig. 4 of Gravey). However, while Gravey's stud **20** (allegedly the mounting portion) is cast integrally with the molding **12** (column 2, lines 4-5 thereof), the spring clip **28** (allegedly the mounting seat portion) is not integrally formed with the molding for the following reasons.

First, in the claims, Gravey clearly defines that the stud **20** is "formed integrally with and extending from said molding strip" (column 2, lines 52-53 thereof), while the spring clip **28** is "loosely retained on the said end portion of said stud" (column 2, lines 59-60 thereof). An integrally formed portion cannot be loosely retained on another integrally formed portion. In addition, such a spring clip must have sufficient elasticity (typically made of a metal) to provide a biased force, and thus cannot be made of the same molded resin.

Accordingly, Gravey fails to disclose or teach the claimed mounting portion formed integrally with the molded component body, including a mounting seat portion, a mounting structure, a joining portion, and side walls, as recited in claim 1.

Therefore, it is respectfully requested that the rejection of claims based on Gravey be withdrawn. In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance.

Dependent Claims

Claims 2 and 3 depend from claim 1 and thus include all of the limitations of claim 1. The argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable at least for the same reasons.

In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance.

Conclusion


It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited.

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-1698.

Respectfully submitted,
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